

1  
2  
3  
4  
5  
6 **UNITED STATES DISTRICT COURT**  
7 **FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

8 RICHARD JAMES DIDZUN, an individual;  
9 IAN McANDREWS and KATE McANDREWS,  
10 individually and for their marital community; on  
11 behalf of themselves and persons similarly  
12 situated;

13 Plaintiffs,  
14 v.

15 THE HOME DEPOT, INC., a foreign  
16 corporation, and HOME DEPOT USA, INC.;

17 Defendants.

18 No. 2:21-cv-01540 RSL

19 **STIPULATED MOTION TO MODIFY  
20 DEADLINES AND ORDER**

21 **I. STIPULATION.**

22 Plaintiffs Richard Didzun, Ian McAndrews, and Kate McAndrews (collectively,  
23 “Plaintiffs”) and Defendants The Home Depot, Inc. and Home Depot USA, Inc. (collectively,  
24 “Home Depot”), move the Court by stipulation to modify the deadlines set forth in the Court’s  
25 Order Granting Preliminary Approval. Dkt. #51, pg. 7, §K.

26 The Notice Mailing Deadline was August 22, 2024. Home Depot provided Simpluris, the  
Court-appointed administrator, with Class Members’ contact information on August 22, 2024.  
This was a prerequisite to preparing settlement notices for distribution prior to the deadline.  
Thus, Simpluris was unable to meet the deadline.

1 Based on the date it received data from Home Depot, Simpluris expects to distribute  
 2 notices to Class Members on or about **September 5, 2024**. This is fourteen (14) days after the  
 3 Court's prescribed distribution deadline.

4 Presently, the relevant deadlines are as follows:

ACTION	DATE
Notice Mailing Date	August 22, 2024
Exclusion/Objection Deadline	October 22, 2024
Administrator's Report of Exclusion Requests	November 7, 2024
Responses to Objections Submitted	November 22, 2024

5 The current schedule for final approval provides a buffer of approximately four weeks  
 6 between the completion of briefing (November 22, 2024) and the Final Approval Hearing  
 7 (December 19, 2024). As such, the Parties respectfully request the Court extend the following  
 8 deadlines by approximately sixteen (16) days, to allow Class Members the requisite opportunity  
 9 to respond to distributed notices.

ACTION	DATE
Notice Mailing Date	September 6, 2024
Exclusion/Objection Deadline	November 7, 2024
Administrator's Report of Exclusion Requests	November 22, 2024
Responses to Objections Submitted	December 9, 2024

10 The proposed schedule preserves the forty-five (45) period for Class Members' to  
 11 respond to mail/e-mailed notices, while allowing ten (10) days for court-review of the Parties'  
 12 briefing, and Class Members' objections (if any).

13 **STIPULATED AND AGREED:** August 27, 2024.

14 **BADGLEY MULLINS TURNER PLLC**

15 */s/Mark A. Trivett*

16 Mark A. Trivett, WSBA No. 46375  
 17 Duncan C. Turner, WSBA No. 20597  
 18 19910 50<sup>th</sup> Avenue W., Suite 103

1 Lynnwood, WA 98036  
2 Telephone: (206) 621-6566  
3 Email: [mtrivett@badgleymullins.com](mailto:mtrivett@badgleymullins.com);  
[dturner@badgleymullins.com](mailto:dturner@badgleymullins.com)  
*Attorneys for Plaintiffs*

4 **NORTHSHORE LAW GROUP, PLLC**  
5 /s/ Abel M. Tsegga  
6 Abel M. Tsegga, WSBA No. 46349  
7 144 Railroad Ave. Ste. 308  
8 Edmonds, WA 98020  
9 Telephone: (206) 697-4878  
Facsimile: (206) 512-1106  
Email: [abel@northshorelawgroup.com](mailto:abel@northshorelawgroup.com)  
*Attorneys for Plaintiffs*

10 **OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.**  
11 /s/ Laurence A. Shapero  
12 Laurence A. Shapero, WSBA No. 31301  
13 1201 Third Avenue, Suite 5150  
14 Seattle, WA 98101  
T: (206) 693-7057  
F: (206) 693-7058  
Email: [Laurence.shapero@ogletree.com](mailto:Laurence.shapero@ogletree.com)  
*Attorneys for Defendants*

16 /s/ Evan R. Moses  
17 Evan R. Moses, CA Bar #198099 (*Pro Hac Vice*)  
18 400 South Hope Street, Suite 1200  
19 Los Angeles, CA 90071  
T: 213-438-5851  
F: 213-239-9045  
Email: [evan.moses@ogletree.com](mailto:evan.moses@ogletree.com)  
*Attorneys for Defendants*

## II. ORDER.

The Court, having considered the Parties' Stipulated Motion to Modify Deadlines, finds that good cause exists to modify the present deadlines related to distribution and responses to the Court-approval settlement notice. Therefore, the Court GRANTS the Parties' Motion and MODIFIES the relevant deadlines, as described in §K, pg. 7, of the Order Granting Preliminary Approval (Dkt. #51) to those set forth below:

<b>ACTION</b>	<b>DATE</b>
Notice Mailing Date	September 6, 2024
Exclusion/Objection Deadline	November 7, 2024
Administrator's Report of Exclusion Requests	November 22, 2024
Responses to Objections Submitted	December 9, 2024

Except for those deadlines set forth above, all other deadlines and the scheduled Final Approval Hearing remain unmodified.

Dated this 28th day of August, 2024.

Robert S. Lasnik  
Robert S. Lasnik  
United States District Judge